



# **The Commonwealth of Massachusetts**

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## **DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

### NOTICE OF FILING AND PUBLIC HEARING

D.T.E. 04-40

October 21, 2004

Petition of Western Massachusetts Electric Company for approval of its Transition Charge Reconciliation filing for the period January 1, 2003 through December 31, 2003.

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On March 31, 2004, pursuant to G.L. c. 164, § 1A(a), 220 C.M.R. § 11.03(4) and the Restructuring Settlement Agreement approved by the Department of Telecommunications and Energy ("Department") in Western Massachusetts Electric Company, D.T.E. 97-120-E (2000), Western Massachusetts Electric Company ("WMECo" or "Company") submitted a reconciliation filing for the calendar year 2003. In D.T.E. 04-40, the Department will examine issues including, but not limited to, the consistency of the updated charges and tariffs with D.T.E. 97-120, and compliance with the Department's directives in D.T.E. 03-34.

The Department will conduct a public hearing to receive comments on the Company's filing. The hearing will take place on **Tuesday, November 16, 2004**, at 2:00 p.m. at the Department's offices, One South Station - 2<sup>nd</sup> Floor, Boston, Massachusetts 02110. The Department plans to hold a procedural conference immediately following the conclusion of the public hearing. Any person who desires to comment may do so at the same place noted above or submit written comments to the Department not later than the close of business (5:00 p.m.) on Monday, November 15, 2004.

Any person who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene with the Department not later than the close of business on **Monday, November 15, 2004**. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 C.M.R. § 1.01(4). To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10.

An original and five (5) copies of all written comments or petitions to intervene must be filed with Mary L. Cottrell, Secretary, Department of Telecommunications and Energy - One

South Station - 2<sup>nd</sup> Floor, Boston, Massachusetts 02110 not later than the close of business on the dates noted above. One copy of all written comments or petitions to intervene should also be sent to WMECo's attorney, Stephen Klionsky, 100 Summer Street, 23<sup>rd</sup> Floor, Boston, Massachusetts 02110-2131.

All written comments also should be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dte.efiling@state.ma.us](mailto:dte.efiling@state.ma.us) and [sandra.callahan@state.ma.us](mailto:sandra.callahan@state.ma.us), or (2) on a 3.5" disk. The text of the e-mail or the disk label must specify: (1) the docket number of the proceeding (D.T.E. 04-40), (2) name of the person or company submitting the filing, and (3) a brief descriptive title of the document. The electronic filing should also include the name, title and telephone number of a person to contact in the event of questions about the filing. Text responses should be created in either Corel WordPerfect, Microsoft Word, or as an Adobe-compatible PDF file. Data or spreadsheet responses should be compatible with Microsoft Excel. All comments submitted in electronic format will be posted on the Department's web site: <http://www.mass.gov/dte>.

The Company's filings may be inspected at the Department's offices during normal business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m.). Copies are also on file for public viewing at the offices of the Company, 174 Brush Hill Avenue, West Springfield, Massachusetts 01090, and at WMECo's Legal Department, 100 Summer Street, 23<sup>rd</sup> Floor, Boston, Massachusetts 02110-2131. Any person desiring further information regarding the Company's filing should contact Pat Wood, 413-787-9293, at the Company's offices, or Stephen Klionsky, Esq., 617-345-1066, at WMECo's Legal Department. Any person desiring further information regarding this notice should contact Sandy Callahan, Hearing Officer, Department of Telecommunications and Energy, at 617-305-3500.



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### ORDER OF NOTICE

D.T.E. 04-40

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Petition of Western Massachusetts Electric Company for approval of its Transition Charge Reconciliation filing for the period January 1, 2003 through December 31, 2003.

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Western Massachusetts Electric Company shall, no later than fourteen (14) days prior to **Tuesday, November 16, 2004**, give notice of said hearing by publication hereof in the Berkshire Eagle (Pittsfield), the Springfield Union News, and in either the Boston Globe or the Boston Herald. The Company shall also serve a copy of the notice on the Chairmen of the Board of Selectmen, the Board of Selectmen, Town Clerks, Mayors, and City Clerks of the cities and towns in the Company's service area until the comment period has expired, provide actual notice to any person who has filed a request for notice with the Company, and provide a copy of this notice to all participants in D.T.E. 97-120, D.T.E. 00-33, D.T.E. 01-36/02-20 and D.T.E. 03-34. The Company shall make return of service and publication at the time of the public hearing.

By Order of the Department

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Mary L. Cottrell, Secretary